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IBM CORPORATION
ROCHESTER IP LAW DEPT. 917
3605 HIGHWAY 52 NORTH
ROCHESTER, MN 55901-7829

EXAMINER

LUI, DONNA V

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/645,743	Applicant(s) KUCZYNSKI ET AL.	
	Examiner Donna V. Lui	Art Unit 2675	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 3-6, 9-10, 12-15, 17-19, 22-23, and 25-31** rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling et al. (Pub. No.: US 2005/0047132 A1) in view of Faries, JR. et al. (Pub. No.: US 2004/0247016 A1).

With respect to **Claim 1**, Dowling discloses a programmable electronic system (*See figure 3*). Dowling teaches the system comprising at least a portion of an enclosure for the system (*See figure 2, element 202*), multiple programmable display segments integrated with the enclosure portion and each having color attributes (*element 204; pg 2, [0037], lines 4-5 and [0038], lines 18-22 and [0039, lines 10-14]*), and a programmable device responsive to the selection of multiple pre-selected parameters for altering the color attributes of the selected display segments (*element 200*). Although Dowling states that display segments need not be LED based and in other embodiments may be of another type of illumination system (*pg 2, [0033], lines 8-14*), Dowling fails to explicitly teach the programmable electronic system to have programmable electrochromic display segments.

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Faries teaches the use of electrochromic display segments (*figure 8, element 38*) for monitoring the external and/or internal conditions of the environment (*pg 10, [0097], lines 1-7*) and triggers color change in response to programmed conditions (*pg 10, [0099], lines 20-27*).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to use the electrochromic display segments, as taught by Faries, to the programmable electronic system of Dowling for the purpose of obtaining a less costly implementation of the display segments (*pg 2, [0014], lines 2-6; since the lifetime of a medical item such as the solution bag (2) of figure 8 is short, provision of a solution bag using electrochromic display segments is less costly due to the cost of parts and energy for driving the segments, since a voltage applied once is enough for color change*).

With respect to **Claim 4**, claim 4 differs from claim 1 only in that claim 1 is a programmable electronic system whereas claim 4 is a computer system (*pg 2, [0034], line 3*). Thus, the computer system of claim 4 is analyzed as previously discussed with respect to the programmable electronic system of claim 1.

With respect to **Claim 13**, Dowling discloses an enclosure (*figure 2, element 202*) adapted for use in enclosing at least a portion of a system having a programmable device (*element 200*) responsive to monitored parameters (*pg 2, [0039], lines 10-14; the parameters comprising the receipt of emails or system activity*) being selected for altering color attributes of display segments. Dowling teaches the enclosure to comprise a body for enclosing at least a portion of the system where the display segments (*element 204*)

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are integrated with the body, and the display segments are operable for altering color attributes in response to the selection of the parameters. Although Dowling states that display segments need not be LED based and in other embodiments may be of another type of illumination system (*pg 2, [0033], lines 8-14*), Dowling fails to explicitly teach the enclosure to have programmable electrochromic display segments.

Faries teaches the use of electrochromic display segments (*figure 8, element 38*) for monitoring the external and/or internal conditions of the environment (*pg 10, [0097], lines 1-7*) and triggers color change in response to programmed conditions (*pg 10, [0099], lines 20-27*).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to use the electrochromic display segments, as taught by Faries, to the enclosure of Dowling for the purpose of obtaining a less costly implementation of the display segments (*pg 2, [0014], lines 2-6; since the lifetime of a medical item such as the solution bag (2) of figure 8 is short, provision of a solution bag using electrochromic display segments is less costly due to the cost of parts and energy for driving the segments, since a voltage applied once is enough for color change*).

With respect to **Claim 17**, claim 17 differs from claim 1 only in that claim 1 is a programmable electronic system whereas claim 17 is a method. Thus, the method of claim 17 is analyzed as previously discussed with respect to the programmable electronic system of claim 1.

With respect to **Claim 26**, Dowling discloses a computer-implemented method for controlling display segments integrated with an enclosure of a computer system (pg 2, [0038], lines 1-2; pg 3, [0045], lines 3-7). Dowling teaches the method comprising the steps of programmably setting the parameter values each associated with a computer system function and each for use in activating the display segments, monitoring for an occurrence of the parameter values and, selecting display segments for activation in response to the monitored occurrence (pg 2, [0038], lines 18-22 and [0039], lines 10-14; *it is obvious that there exists steps for programmably setting the parameter values (receipt of email or system activity) associated with each computer system function (changing the color of the display segments)*). Although Dowling states that display segments need not be LED based and in other embodiments may be of another type of illumination system (pg 2, [0033], lines 8-14), Dowling fails to explicitly teach the enclosure to have programmable electrochromic display segments.

Faries teaches the use of electrochromic display segments (*figure 8, element 38*) for monitoring the external and/or internal conditions of the environment (pg 10, [0097], lines 1-7) and triggers color change in response to programmed conditions (pg 10, [0099], lines 20-27).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to use the electrochromic display segments, as taught by Faries, to the computer-implemented method of Dowling for the purpose of obtaining a less costly implementation of the display segments (pg 2, [0014], lines 2-6; *since the lifetime of a medical item such as the solution bag (2) of figure 8 is short, provision of a solution bag*

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using electrochromic display segments is less costly due to the cost of parts and energy for driving the segments, since a voltage applied once is enough for color change).

With respect to **Claim 29**, Dowling discloses a computer system (*See figure 3*) comprising an enclosure portion (*figure 2, element 202*), display segments integrated with the enclosure portion (*element 204*), each of which is operable for changing color attributes thereof for visually altering the enclosure portion color (*pg 2, [0039], lines 1-7*). Dowling teaches the system comprising a memory containing a programmable application that accepts user input for configuring the parameter values, monitors for an occurrence of the configured parameter values for activating the display segments in response to the monitored occurrence and, a processor operably coupled to the memory which performs operations (*pg 3, [0047], lines 10-14*). Dowling teaches the processor comprising the allowance of a user to programmably set the parameter values each of which is associated with a computer system function, and each of which is for use in activating the display segments, monitoring for the set parameter values and, activating the display segments in response to the monitored occurrence of the set parameter values to change the color attributes of the enclosure (*pg 2, [0038], lines 18-22 and [0039], lines 10-14; it is obvious that there exists steps for programmably setting the parameter values (receipt of email or system activity) associated with each computer system function (changing the color of the display segments)*). Although Dowling states that display segments need not be LED based and in other embodiments may be of another type of illumination system (*pg 2, [0033], lines 8-14*), Dowling fails to explicitly teach the enclosure to have programmable electrochromic display segments.

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Faries teaches the use of electrochromic display segments (*figure 8, element 38*) for monitoring the external and/or internal conditions of the environment (*pg 10, [0097], lines 1-7*) and triggers color change in response to programmed conditions (*pg 10, [0099], lines 20-27*).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to use the electrochromic display segments, as taught by Faries, to the computer system of Dowling for the purpose of obtaining a less costly implementation of the display segments (*pg 2, [0014], lines 2-6; since the lifetime of a medical item such as the solution bag (2) of figure 8 is short, provision of a solution bag using electrochromic display segments is less costly due to the cost of parts and energy for driving the segments, since a voltage applied once is enough for color change*).

With respect to **Claim 31**, Dowling discloses a computer program product (*pg 2, [0034], line 3; a computer system having the ability to change the color of the enclosure for a monitor most have a program for doing so*) for facilitating altering of color attributes of the display segments of a computer system enclosure portion (*pg 3, [0040], lines 6-9 and [0045], lines 3-7 and [0046], lines 1-4; an input signal such as a button can facilitate the altering of color attributes, rather than waiting for a specified state such as a rise or decrease in temperature*), the computer program product comprising a medium readable by a computer (*pg 3, [0046], lines 1-4; software interface*), the computer readable medium having a computer program code to alter color attributes of the display segments responsive to the monitored occurrence of the programmably set parameter values (*pg 3, [0047], lines 1-7*). Although Dowling states that display

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segments need not be LED based and in other embodiments may be of another type of illumination system (*pg 2, [0033], lines 8-14*), Dowling fails to explicitly teach the enclosure to have programmable electrochromic display segments.

Faries teaches the use of electrochromic display segments (*figure 8, element 38*) for monitoring the external and/or internal conditions of the environment (*pg 10, [0097], lines 1-7*) and triggers color change in response to programmed conditions (*pg 10, [0099], lines 20-27*).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to use the electrochromic display segments, as taught by Faries, to the computer program product of Dowling for the purpose of obtaining a less costly implementation of the display segments (*pg 2, [0014], lines 2-6; since the lifetime of a medical item such as the solution bag (2) of figure 8 is short, provision of a solution bag using electrochromic display segments is less costly due to the cost of parts and energy for driving the segments, since a voltage applied once is enough for color change*).

With respect to **Claims 3, 6, 19, 30 and 32**, Dowling teaches that the preselected parameters are selected from a computer monitored group comprising e-mail messages (*pg 2, [0039], lines 10-14*) and computer system heating condition indicators (*pg 3, [0040], lines 6-9*). In re Gray, 53 F.2d 520, 11 USPQ 255 (CCPA 1931).

With respect to **Claim 5, 18, and 27**, Dowling teaches the computer system wherein values of the preselected parameters to be utilized are selected by means of a user interface (*pg 3, [0046], lines 1-7 and [0047], lines 1-2*).

With respect to **Claims 9, 14, and 22**, Dowling teaches the system is selected from a group of computer systems comprising a PDA, PC, server, laptop, mobile phone, or any other device or article with an enclosure (*pg 2, [0034]*).

With respect to **Claims 10, 15, and 23**, Dowling teaches the system as a laptop computer where the display segments are visible from exterior surface of the laptop when the laptop is in a closed condition (*pg 2, [0034], line 3 and [0039], lines 1-7; the enclosure includes all exterior surfaces of the laptop even when in a closed condition*).

With respect to **Claims 12 and 25**, Dowling teaches the system to include a display driver that is operable to have control signals applied to the display segments (*pg 3, [0046], lines 1-2 and [0047], lines 1-2; the input signal from any source may include signals from a display driver*).

With respect to **Claim 28**, Dowling teaches the parameter values are set through a graphical user interface (*pg 3, [0046], lines 1-4*).

3. **Claims 2, 11, 16, and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling and Faries as applied to claims 1, 4, 13, and 17 above, and further in view of Shacklett, III et al. (Patent No.: 6,294,111 B1).

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With respect to **Claims 2, 11, 16, and 24**, Dowling fails to teach the display segments as electrochromic display segments that are selected from a group consisting of a solution type, a precipitation type, and a thin-film type. Shacklett teaches the electrochromic display segments are selected from a group consisting of a solution type (*column 12, lines 57-63*) and a thin-film type (*column 4, lines 30-32*). In re Gray, 53 F.2d 520, 11 USPQ 255 (CCPA 1931). It would have been obvious for a person of ordinary skill in the art at the time the invention was made to use the electrochromic display segments consisting of a solution type and thin-film type, as taught by Shacklett, to the system of Dowling for the purpose of providing a system with display segments that are inexpensive (*column 4, lines 30-31; column 5 lines 8-16*).

4. **Claims 7 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling and Faries as applied to claims 4 and 17 above, and further in view of Laurikka et al. (Patent No.: 6,608,996 B1).

With respect to **Claims 7 and 20**, Dowling does not teach a security condition messages parameter that is indicative of the computer system having been stolen, whereby a color attribute of the enclosure portion is altered. Laurikka teaches a security condition messages parameter that is indicative of the system having been stolen, whereby a color attribute of the enclosure portion is altered (*column 2, lines 7-12*). It would have been obvious for a person of ordinary skill in the art at the time the invention was made to use a security condition parameter that is indicative of the system having been stolen whereby a color attribute of the enclosure portion is altered, as taught by

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Laurikka, to the system of Dowling for the purpose of being able to easily recognize the stolen device (*column 2, lines 11-12*).

5. **Claims 8 and 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling and Faries as applied to claims 4 and 17 above, and further in view of Conley, JR (Pub. No.: 2004/0073605 A1).

With respect to **Claims 8 and 21**, Dowling does not teach the e-mail messages parameter to include messages from preselected senders. Conley teaches an e-mail message parameter to include messages from preselected senders (*pg 5, [0066], lines 3-11*). It would have been obvious for a person of ordinary skill in the art at the time the invention was made to use an e-mail message parameter to include messages from preselected senders, as taught by Conley to the system of Dowling for the purpose of alerting the user that an email message is received from a preselected user (*pg 5, [0066], lines 11-13*).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donna V. Lui whose telephone number is (571) 272-4920. The examiner can normally be reached on Monday through Friday 8:30 a.m. - 5:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Donna V Lui
Examiner
Art Unit 2675



KENT CHANG
PRIMARY EXAMINER